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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,065	02/15/2002	Raymond Cooper	3251302-0002	8506

7590 06/30/2005

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CANADA

EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/076,065

Applicant(s)

COOPER, RAYMOND

Examiner

Diem K. Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/1/2002.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claim 1 is presented for examination.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laurent (On Display: XML Web Pages with Mozilla) in view of Royappa (Implementing Catalog Clearinghouses with XML and XSL).

4. Laurent teaches creating an XML document containing the product family information, including the product configurations (pages 5-8), associating with the document an identifier for the document (books1.xml, books2.xml; Fig. 3 and Fig. 4), presenting to the user, product information contained in the retrieved XML document (Fig. 3; page 6 and Fig. 4, page 9).

5. However, Laurent does not teach storing the XML documents in a database, allowing a user to select at least one family from a displayed list of families, such that when the user selects the family the XML documents corresponding thereto is retrieved from the database. Royappa teaches storing the XML documents in a database (XML database; page 618, section 3.2 and Fig. 2), allowing a user to select at least one family from a displayed list of families (Customers

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access ... services; page 616, left column, section 1 and Obvious from “If multiple catalogs match, the user must continue searching”; page 618, left column, second paragraph and right column, second paragraph), such that when the user selects the family the XML documents corresponding thereto is retrieved from the database (The catalog has XML and XSL components ... sent to the client browser; page 618, right column, second paragraph).

6. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Laurent and Royappa because it provides a method to host catalogs for a large number of similar merchants that provides multiple benefits such as presentation flexibility, powerful search capabilities and increased performance (abstract).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kark et al. (U.S. 2002/0107761) teaches methods and systems for improved channel sales support in electronic commerce.
- Thibadeau et al. teaches E-commerce catalog construction.
- Glushko et al. teaches an XML framework for Agent-based E-commerce.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The

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examiner can normally be reached on Monday - Friday, 6:00AM - 1:00PM and Saturday, 6:00AM - 10:30AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


**Any response to this action should be mailed to:**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist at 571-272-2100.

Due to the realignment of WG 2120, effective March 20, 2005, AU 2126 will become AU 2194.

Diem Cao



ST. JOHN COURTENAY III  
PRIMARY EXAMINER